

CITY OF SAN BRUNO



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STAFF

Tambri Heyden, AICP, *Community Development Director*
Aaron Aknin, AICP, *Planning Manager*
Mark Sullivan, AICP, *Housing and Redevelopment Manager*
Beilin Yu, *Associate Planner*
Lisa Costa-Sanders, *Contract Planner*
Tony Rozzi, *Community Development Technician*
Pamela Thompson, *City Attorney*

PLANNING COMMISSIONERS

Joe Sammut, *Chair*
Sujendra Mishra, *Vice-Chair*
Mary Lou Johnson
Bob Marshall Jr.
Kevin Chase
Rick Biasotti
Perry Petersen

COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING COMMISSION MINUTES

December 20, 2005
San Bruno Senior Center
1555 Crystal Springs Blvd.
7:00 P.M. to 10:00 P.M.

CALL TO ORDER at 6:03 pm

ROLL CALL

	<u>Present</u>	<u>Absent</u>
Chair Sammut	X	
Vice Chair Mishra	X	
Commissioner Johnson	X	
Commissioner Marshall		X
Commissioner Chase	X	
Commissioner Biasotti	X	
Commissioner Petersen		X

STAFF PRESENT:

Planning Division: Community Development Director: Tambri Heyden
Planning Manager: Aaron Aknin
Associate Planner: Beilin Yu
Community Development Technician: Tony Rozzi

City Attorney: Pamela Thompson

Pledge of Allegiance Commissioner Biasotti

1. Approval of Minutes – November 15, 2005

Motion to Approve Minutes of November 15, 2005 Planning Commission meeting

Johnson/Biasotti

VOTE: 4-0
AYES: All Commissioners Present
NOES:
ABSTAIN: Chase

2. Communication

Planning Manager Aknin explained that the new Agenda item “Announcement of Conflict of Interest” would be the appropriate time for a Commissioner to announce his or her conflict and be noted by the Chair.

Vice-Chair Mishra announced his conflict of interest with Agenda Item 9.

Planning Manager Aknin explained that this should be announced during Agenda Item 4.

3. Public Comment

None at this time.

4. Announcement of Conflict of Interest

Vice Chair Mishra announced that Item 9 is within a 500-foot radius of his residence.

5. 1301 Williams Way

Request for a Use Permit to allow the construction of a new residence on site which proposes to increase the Gross Floor Area by more than 50% and to exceed the .55 Floor Area Ratio guideline, per Sections 12.200.030.B.1 and 12.200.030.B.2 of the San Bruno Zoning Ordinance. Eric Keng (Applicant); Jack Silva (Owner). **UP-05-63**

Associate Planner Yu entered staff report.

Chair Sammut asked Commission if there were any questions for staff.

Chair Sammut asked if recommendations would become Conditions of Approval 13 and 14.

Planning Manager Aknin answered in the affirmative.

Chair Sammut asked the applicant to address the Commission and introduce the project.

Jack Silva, applicant, explained that they have lived in the current home for 18 years and this new design is best suited to fit their needs and complement the neighborhood. Applicant agreed to the change in the roof and is happy to make the windows consistent. Applicant also explained that he had spoken to the neighbors and they are in support of the project.

Commissioner Johnson requested clarification on the window consistency in the proposed plans.

Planning Manager Aknin explained that there would be an additional Condition of Approval that will require staff approval of the windows prior to building permit issuance.

Chair Sammut asked the applicant if they supplied color and material samples for the meeting.

Planning Manager Aknin presented those to the Commission.

Chair Sammut asked for clarification regarding the downspouts and gutters. Specifically, would these satisfy the Public Works requirements?

Applicant answered that he was planning to meet the Public Works listed Conditions of Approval.

Chair Sammut asked the applicant to clarify the changes made to the front door design.

Applicant answered that no side window would be included, making the design symmetrical.

Public Comment opened.

Public Comment closed.

Chair Sammut brought discussion back to the Planning Commission.

Motion to approve Use Permit 05-63 subject to Findings of Fact 1-5 and Conditions of Approval 1-14.

Marshall/Chase

VOTE: 5-0
AYES: All Commissioners Present
NOES:
ABSTAIN:

FINDINGS FOR APPROVAL

1. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
2. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the materials found in the immediate neighborhood and the proportions of the house are similar to other houses in the neighborhood.
3. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
4. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for single-family residential purposes.
5. The off-street parking is adequate for the proposed residence.

CONDITIONS FOR APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 05-63 shall not be valid for any purpose. Use Permit 05-63 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on December 20, 2005, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.

4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

Department of Public Works – (650) 616-7065

8. A sanitary sewer lateral clean-out shall be installed at property line, per City standards detail SS-01.
9. Storm water from new and existing roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter. Drain to landscape or bubble-up 2'-0" behind sidewalk allowed.
10. No fence, retaining wall or other permanent structure shall be placed within 5'-6" from back of the sidewalk.
11. Paint address number on face of curb near driveway approach. Black lettering on white background.
12. Planting of one (1) 36-inch box size tree or payment of equal value to tree fund for tree(s) and installation.
13. The proposed gable roof shall be changed to match the existing hip roof.
14. Applicant shall submit a window plan to staff for approval prior to building permit issuance.

Chair Sammut advised of a 10-day appeal period.

6. 3930 Coronado Way

Request for a Use Permit to allow the construction of an addition which proposes to exceed the .55 Floor Area Ratio guideline per Section 12.200.080.B.2 of the San Bruno Zoning Ordinance. Douglas and Catherine Sanders (Applicant / Owner). **UP-05-64**

Associate Planner Yu entered staff report.

Chair Sammut asked Commission if there were any questions for staff.

Chair Sammut verified with staff that the project was before the Commission for exceeding the .55 Floor Area Ratio guideline.

Associate Planner Yu answered that this was the only exceeded criteria.

Chair Sammut asked the applicant to address the Commission and introduce the project.

Douglas Sanders, homeowner and applicant, explained that the family was growing and they would like to expand to meet the increased need for space.

Chair Sammut requested color and material samples, as well as verification that the plans showed proper downspouts and drainage.

Planning Manager Akin presented those to the Commission.

Public Comment opened.

Public Comment closed.

Chair Sammut brought discussion back to the Planning Commission.

Commissioner Johnson explained that during her site visit earlier in the day, she noted that there would be no adverse impacts on the surrounding properties and this was a well-designed project.

Motion to approve Use Permit 05-64 subject to Findings of Fact 1-5 and Conditions of Approval 1-12

Marshall/Chase

VOTE: 5-0
AYES: All Commissioners Present
NOES:
ABSTAIN:

FINDINGS OF FACT

1. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
2. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the materials found in the immediate neighborhood and the proportions of the house are similar to other houses in the neighborhood.
3. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
4. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for single-family residential purposes.
5. The off-street parking is adequate for the proposed residence.

CONDITIONS FOR APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 05-64 shall not be valid for any purpose. Use Permit 05-64 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on December 20, 2005, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.

6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

Department of Public Works – (650) 616-7065

8. A sanitary sewer lateral clean-out shall be installed at property line, per City standards detail SS-01.
9. Storm water from new and existing roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter. Drain to landscape or bubble-up 2'-0" behind sidewalk allowed.
10. No fence, retaining wall or other permanent structure shall be placed within 5'-6" from back of the sidewalk.
11. Remove weeds and grass from sidewalk, curb and gutter. Prune other plantings in the public right-of-way.
12. Planting of one (1) 36-inch box size tree or payment of equal value to tree fund for tree(s) and installation.

Chair Sammut advised of a 10-day appeal period.

6. 390 Angus Avenue

Request for a Use Permit and a Variance to allow the construction of a first and second floor addition to an existing residence which proposes to encroach into the exterior side yard setback, includes a reduced distance between structures, exceeds the .55 Floor Area Ratio guideline, and exceeds the 44% Lot Coverage guideline per Section 12.84.140, 12.96.060.D.5, 12.200.030.B.2, and 12.200.030.B.3 of the San Bruno Zoning Code. John Marsh (Applicant), Jimmy Aziz (Owner). **UP-05-62; V-05-06**

Associate Planner Yu entered staff report.

Chair Sammut asked Commission if there were any questions for staff.

Chair Sammut asked the applicant to address the Commission and introduce the project.

John Marsh, applicant, explained that he designed the project to fit the staff's recommendations and the client's needs.

Chair Sammut thanked the architect for meeting all the bulleted points on the ARC recommendations. Chair Sammut also expressed surprise that the project wasn't better guided during ARC review to match rooflines between the 1st and 2nd floors.

Public Comment opened.

Public Comment closed.

Chair Sammut brought discussion back to the Planning Commission.

Commissioner Johnson stated that though she was not a member of the applicable Architectural Review Committee meeting, she agreed that aesthetically, a change to the roofline design would improve the project. Commissioner Johnson thanked the applicant for doing a good job designing the project with its lot constraints.

Commissioner Chase agreed that the slight change would benefit the home's design.

Commissioner Biasotti asked for verification that the Applicant was in agreement to Condition of Approval 6 stating that the residence shall be used as a single-family home only.

Applicant answered in the affirmative.

Motion to approve Use Permit 05-62 and Variance 05-06 subject to Findings of Fact 1-7 and Conditions of Approval 1-13 to include the additional Condition 13 that the 1st and 2nd story rooflines shall be redesigned to match.

Chase/Johnson

VOTE: 5-0
AYES: All Commissioners Present
NOES:
ABSTAIN:

FINDINGS FOR APPROVAL

1. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
2. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the materials found in the immediate neighborhood and the proportions of the house are similar to other houses in the neighborhood.

3. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
4. The construction of the new addition is consistent with the San Bruno General Plan, which designates the property for single-family residential purposes.
5. Property is in the San Bruno Redevelopment Area and the proposed improvements are consistent with the San Bruno Redevelopment Plan.
6. The lot is substantially smaller than the minimum required by the City's Development Code and is uniquely shallower for the neighborhood, therefore the strict application of the setback requirement will deprive the subject property of privileges enjoyed by other properties in the vicinity.
7. Because redesigning the second story addition to meet the required setback would make the use of the master bedroom and family room impractical, the granting of the Variance will not constitute a grant of a special privilege inconsistent with the limitations upon other properties in the vicinity.

CONDITIONS FOR APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Variance 05-06 and Use Permit 05-62 shall not be valid for any purpose. Variance 05-06 and Use Permit 05-62 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Variance and Use Permit for an addition shall be built according to plans approved by the Planning Commission on December 20, 2005, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.

5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the residence back into conformance.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

Department of Public Works – (650) 616-7065

8. The applicant must obtain an encroachment permit through the Public Works Department prior to issuance of the Building Permit.
9. Planting of one (1) 36-inch box size tree or payment of \$540.00 to tree fund for tree(s) and installation.
10. Storm water from new and existing roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.
11. No fence, retaining wall or other permanent structure shall be placed within 2' from back of the sidewalk.
12. During the Building/Planning Review or site visit, it was noticed that you have a fence and brick behind the sidewalk built within the City public right-of-way. In accordance with San Bruno City Code Section 8.08.010 and or Section 5.04.070, this structure is prohibited. You are not required to remove it at this time, you need to be aware that it may be located over top of a public utility. If an emergency does arise that requires City or approved contractor crews to access this utility, the City and or contractor, will not be responsible for any cost associated with the removal or repair of the structure.
13. The rooflines for the 1st and 2nd story shall be redesigned to match and approved by Planning Division staff prior to Building permit issuance.

Chair Sammut advised of a 10-day appeal period.

7. 851 Cherry Ave

Request for a Use Permit to allow the sale of beer and wine at an existing pizza establishment (Extreme Pizza) per Chapters 12.84.210 and 12.96.100(C) of the San Bruno Zoning Ordinance. Extreme Pizza (Applicant); Todd Parent (Owner). **UP-05-67**

Associate Planner Yu entered staff report.

Chair Sammut asked Commission if there were any questions for staff.

Commissioner Johnson asked if there had been any complaints during the company's history at the other locations.

Associate Planner Yu recommended the applicant answer that question.

Chair Sammut asked the applicant to address the Commission and introduce the project.

Tom Devine, applicant, explained the history of the company. With locations in San Francisco and the East Bay, they have been very successful. The company sells beer and wine at all their locations and to date, there have been no incidents. Applicant expressed his desire to continue that impeccable service in San Bruno.

Public Comment opened.

Public Comment closed.

Chair Sammut brought discussion back to the Planning Commission.

Motion to approve Use Permit 05-67 subject to Findings of Fact 1-9 and Conditions of Approval 1-12.

Chase/Johnson

VOTE: 5-0
AYES: All Commissioners Present
NOES:
ABSTAIN:

FINDINGS OF FACT

1. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Interior alteration to an existing facility.

2. The proposal will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.
3. The proposal will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city.
4. The proposal is consistent with the San Bruno General Plan, which designates the property for commercial purposes.
5. The proposed use will comply with the performance standards set forth in SBMC 12.84.210 (attached as Exhibit "D") for the following reasons.
6. The proposed use of the property as a specialty restaurant with beer and wine sales is compatible with surrounding uses, which include other specialty restaurants, restaurants, retail stores, offices and other similar uses.
7. The activity will not jeopardize, endanger or result in adverse effects to the health, peace or safety or persons residing or working in the surrounding area as the use of the property as a specialty restaurant with beer and wine sales is compatible with surrounding uses.
8. The Community Development Director has the ability to call this application back to the Planning Commission for review, if he/she finds that the use is negatively impacting the surrounding neighborhood. Therefore, if any unforeseen impacts occur, the use can be further reviewed.
9. By obtaining this Use Permit, and subsequently obtaining approval from the Department of Alcohol and Beverage Control the applicant will be in compliance with local and state regulations. As required by the local and state law, the City will issue a "need and necessity" letter to the Department of Alcohol and Beverage Control upon approval of this Use Permit.

CONDITIONS FOR APPROVAL

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the "Summary Hearing" to the Community Development Department within 30 days of approval. Until such time as the Summary is filed, Use Permit 05-67 shall not be valid for any purpose. Use Permit 05-67 shall expire one (1) year from the date of approval unless the plan is executed.
2. The pizza establishment use shall be conducted according to the plans accompanying this report and approved by the Planning Commission, except as required to be modified by these conditions of approval. Any modification to the approved plans shall require prior review and approval by the Community Development Director.

3. The applicant and any successor in interest, shall agree to operate the specialty restaurant at 851 Cherry Avenue #14 in the manner as described in the staff report and in the applicant's support statement. Any deviation or change in business activities shall require prior authorization by the Community Development Director. Failure to comply with these requirements may result in the City of San Bruno instituting revocation hearings.
4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City.
5. The applicant shall conduct regular maintenance of the site to maintain the premises and remove debris and litter at the front and rear of the building.
6. Any changes from the hours of operation shall require prior authorization of the Community Development Director.
7. The applicant/owner shall provide prompt cleaning/repainting of any graffiti on the building exterior.
8. The applicant shall comply with all Alcohol and Beverage Control requirements.
9. Applicant shall comply with all aspects of San Bruno Municipal Code 12.84.210.
10. The hours of operation shall be from 11:00 am to 11:00 pm daily.
11. The applicant shall meet all San Mateo County Health Department requirements regarding the creation and operation of a restaurant.
12. The Community Development Director may call this back to the Planning Commission if he/she finds that the business is not complying with the required performance standards or conditions of approval.

Chair Sammut advised of a 10-day appeal period.

8. 533 San Mateo

Request for a Use Permit and Parking Exception to allow the operation of a martial arts studio per Sections 12.96.120.C.7 and 12.100 of the San Bruno Zoning Ordinance. Ronin Ju-Jitsu, LLC (Applicant); Robert Habeeb (Owner). **UP-05-75; PE-05-12**
(It is recommended that this advertised public hearing be continued to January 17, 2006)

Vice Chair Mishra recused himself as he lived within a 500-foot radius.

Community Development Technician Rozzi entered staff report, asking for a Motion to continue until the January 17, 2006 Planning Commission meeting.

Motion to continue Use Permit 05-75 and Parking Exception 05-12

Biasotti/Johnson

VOTE: 4-0
AYES: All Commissioners Present
NOES:
ABSTAIN:

Vice Chair Mishra returned to the meeting.

9. Request to add new Chapter 12.220 “Wireless Telecommunications Facilities” to Title 12 “Land Use” of the San Bruno Municipal Code.

Planning Manager Aknin entered staff report.

Chair Sammut asked Commission if there were any questions for staff.

Commissioner Johnson thanked staff and City Attorney Thompson for their hard work on this code addition.

Commissioner Chase asked if there would be a notice sent out to the Commissioners when staff approved a wireless telecommunications facility.

Planning Manager Aknin answered that staff could update the Commission.

Chair Sammut added that this is a great idea and should make wireless telecommunications facilities much easier to approve.

City Attorney Thompson explained that there were a few minor adjustments to the final resolution language and the added definition of "distributed repeater antennas".

Roll Call vote: Motion to approve Resolution 2005-11

VOTE: 5-0
AYES: All Commissioners present
NOES:
ABSTAIN:

Motion Approved 5-0

10. City Staff Discussion

Planning Manager Aknin requested volunteers for the January 12, 2006 Architectural Review Committee meeting.

Chair Sammut, Commissioner Mishra and Commissioner Biasotti agreed to participate.

10. Planning Commission Discussion

Chair Sammut requested clarification regarding the request for 390 Angus Avenue.

Planning Manager Akinin agreed to look into it and follow up.

Commissioner Chase wished all a happy holiday and his wife a happy birthday.

12. Adjournment

Tambri Heyden

Interim Secretary to the Planning
Commission
City of San Bruno

Joe Sammut, Chair
Planning Commission
City of San Bruno

NEXT MEETING: January 17, 2005

TH/tr

Meeting was adjourned at 7:46 pm